



March 16, 2020

To: Members of the Rowan County Judicial District Bar

Fr: Hon. Anna Mills Wagoner, Senior Resident Superior Court Judge  
Hon. Charlie Brown, Chief District Court Judge  
Hon. Brandy Cook, District Attorney  
Hon. Jeff Barger, Clerk of Superior Court  
Hon. Kevin Auten, Sheriff

Re: Rowan County Response to COVID-19 (Coronavirus)

On Friday March 13, 2020, Chief Justice Cheri Beasley entered an order implementing measures designed to curb the spread of COVID-19 and minimize the risk of exposure caused by crowded sessions of court. Consistent with the Chief Justice's order, effective Monday, March 16, 2020 superior court and district court proceedings of Rowan County will be rescheduled for at least 30 days, with limited exceptions, which appear on the following pages.

The emergency directive of the Chief Justice does not apply to proceedings in which a jury has already been empaneled and it does not prohibit a judge or other judicial officer from exercising in chambers or *ex parte* jurisdiction conferred by law upon that judge or judicial officer, as provided by law. Additionally, the emergency directive *does not extend filing and other deadlines*.

***Court offices in the Rowan County Courthouse and Justice Center will remain open for business.*** However, unless you are required to appear in-person to conduct your business, attorneys and the public are strongly encouraged to use email and telephone to communicate with staff at the Rowan County Courthouse. Contact information may be found on the [Judicial Directory](#).

[Online court services](#) are available for handling some court business, including citation services, paying your ticket, court payments, signing up for court date notifications and reminders, eFiling court documents for certain courts and case types, and more.

Accurate and timely information may be obtained from the following resources:

- For Questions or concerns call 704-797-3001 for the Clerk of Court.
- Information about the North Carolina Judicial Branch system-wide response to the COVID-19 virus is available on the [NCCourts.gov website](#).

## **CLERK OF SUPERIOR COURT**

- Maintain normal office hours to accept filings, until further notice.
- Guardianship Hearings will be conducted as needed, subject to health precautions, including video testimony, as determined by the Clerk of Court.
- Involuntary Commitments will be conducted as needed, subject to health precautions, including video testimony, as determined by the Clerk of Court.
- Estate administration matters will be conducted, although in-person meetings will be subject to health precautions as determined by the Clerk of Court.
- Estate hearings will be postponed for thirty days unless consent by parties to conduct remotely.
- Special Proceeding hearings will be postponed for thirty days unless consent by parties to conduct remotely.

## **MAGISTRATE AND SMALL CLAIMS**

- The Rowan County Magistrate's Office will be open 24 hours per day, 7 days per week and normal operations will continue for Warrants for Arrest, Magistrate's Orders, Criminal Summons, Initial Appearances, Cash Bonds / Property Bonds, Involuntary Commitment Orders, Juvenile Petitions, and Secured and Non-Secured Custody Orders.
- Subject to health precautions, Magistrates will perform weddings.
- All Small Claims court proceedings are suspended, and pending matters will be continued and rescheduled.

## **DISTRICT COURT:**

- Maintain normal office hours, until further notice.

### **Civil Domestic Violence Court**

- The Rowan County Family Crisis Council will operate daily for the purpose of requesting an *ex parte* Domestic Violence Protective Order (DVPO) through E-Filing.
- All No-Contact (50C) requests for emergency relief pursuant to G.S. 50C will continue with the current procedure to be sent to the assigned Judge for review.
- DVPOs with Motions to Show Cause, Motions to Modify or Set Aside, and Motions for Return of Weapons shall be continued beyond 30 days.
- DVPO 10 day return hearings will be heard on Mondays in Courtroom 2 at 9:30 am.

### **Civil District Court**

- All CV/MC/CVT sessions are cancelled and cases will be rescheduled beyond 30 days.
- Any Emergency Custody cases or other emergency matters will be heard in Courtroom 2 on Monday at 9:30 am.
- All District Court Arbitrations will be rescheduled beyond 30 days.

### **Criminal District Court**

- Courtroom 1 (Rowan County Courthouse) will be operating daily at 9:00 am for morning sessions only to hear felony and domestic violence first appearances, bond hearings, probation violations and any scheduled misdemeanor cases with defendants in custody. Remote video is to be used for inmate cases, if possible.
- All cases with defendants not in custody will be continued.
- All other criminal and traffic court sessions are cancelled.

**Juvenile Abuse Neglect & Dependency Court**

- Courtroom 5 (Rowan County Courthouse) will be closed and cases will be rescheduled beyond 30 days.
- Hearings for Motions for Non-Secure Custody should be coordinated with the Trial Court Coordinator in District Court Judges Office.

**Juvenile Delinquency Court**

- Courtroom 3 (Rowan County Courthouse) will be closed and cases will be rescheduled beyond 30 days except for those cases where the juvenile is in secured custody. Secured Custody Reviews, first appearances, and cases with juveniles in secured custody will be heard on Friday at 9:00 am.

**Child Support Enforcement Court**

- Courtroom 4 (Rowan County Courthouse) will be closed and cases will be rescheduled beyond 30 days except for those cases where the defendant is in custody.
- Child support cases with the defendant in custody will be heard in Courtroom 4 (Rowan County Courthouse) on Tuesday at 9:30 am.

**SUPERIOR COURT:**

- Maintain normal office hours, until further notice.

**Criminal Superior Court**

- No jury trials; no jurors are to report.
- Any future trial weeks beyond April 16, 2020 will be determined at a later date and will be announced.
- Criminal court sessions will commence on March 17, 2020 and thereafter for:
  - Taking of pleas for defendants in custody, where feasible, as scheduled by the District Attorney's Office after consultation with defense counsel; and
  - Probation violations for persons in custody as follows: first appearances, bond, probable cause hearings, and dispositive hearings will commence March 17, 2020 with defendant appearing via video, as scheduled by the District Attorney.

**Civil Superior Court**

- No jury trials; no jurors are to report.
- Civil Superior hearings will be rescheduled beyond 30 days unless consent by parties to conduct remotely.